



General Assembly

February Session, 2014

Raised Bill No. 107

LCO No. 804



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT CONCERNING DELIVERY OF THE YELLOW PAGES PHONE BOOK.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) As used in this
2 section:

3 (1) "Display advertising" means business advertising that includes
4 text or various graphic elements exceeding the use of boldface type
5 and color highlighting of the business name and telephone number;

6 (2) "Distribution" means the unsolicited delivery of more than four
7 tons annually of yellow pages phone books to the addresses of
8 residents and businesses within this state, but does not include the
9 delivery of yellow pages phone books by membership organizations to
10 their members or to other residents or businesses requesting or
11 expressly accepting delivery;

12 (3) "Membership organization" means an organization that is
13 organized and operated primarily or exclusively for the purpose of

14 providing services or benefits to a designated group of members;

15 (4) "Distributor" means a person or organization engaged in the
16 business of arranging for the distribution of yellow pages phone books
17 in this state. "Distributor" includes those persons or organizations who
18 are primarily responsible for arranging for the publication and
19 distribution of the yellow pages phone books and whose income is
20 derived, at least in part, from the advertising contained in the yellow
21 pages phone books. "Distributor" does not include those individuals
22 whose role in the distribution of yellow pages phone books in this state
23 is limited to driving the streets and making physical delivery of the
24 yellow pages phone books; and

25 (5) "Yellow pages phone book" means a printed telephone directory
26 that consists primarily of a listing of business names and telephone
27 numbers and contains display advertising for at least some of those
28 businesses.

29 (b) Any distributor shall distribute a yellow pages phone book by
30 first-class mail.

31 Sec. 2. Subsection (c) of section 20-206g of the 2014 supplement to
32 the general statutes is repealed and the following is substituted in lieu
33 thereof (*Effective October 1, 2014*):

34 (c) Each person who holds a license as a massage therapist shall
35 include his or her license number in any advertisement for such
36 person's massage therapy services that appears in a newspaper,
37 telephone directory, including, but not limited to, a yellow pages
38 phone book, as defined in section 1 of this act, or other advertising
39 medium.

40 Sec. 3. Subsection (a) of section 20-417d of the general statutes is
41 repealed and the following is substituted in lieu thereof (*Effective*
42 *October 1, 2014*):

43 (a) A new home construction contractor shall (1) prior to entering
44 into a contract with a consumer for new home construction, provide to
45 the consumer a copy of the new home construction contractor's
46 certificate of registration and a written notice that (A) discloses that the
47 certificate of registration does not represent in any manner that such
48 contractor's registration constitutes an endorsement of the quality of
49 such person's work or of such contractor's competency by the
50 commissioner, (B) advises the consumer to contact the Department of
51 Consumer Protection to determine (i) if such contractor is registered in
52 this state as a new home construction contractor, (ii) if any complaints
53 have been filed against such contractor, and (iii) the disposition of any
54 such complaints, (C) advises the consumer to request from such
55 contractor a list of consumers of new homes constructed to completion
56 by the contractor during the previous twenty-four months and to
57 contact several individuals on the list to discuss the quality of such
58 contractor's new home construction work, and (D) discloses each
59 corporation, limited liability company, partnership, sole proprietorship
60 or other legal entity, which is or has been a new home construction
61 contractor under the provisions of this chapter or a home
62 improvement contractor under the provisions of chapter 400, in which
63 the owner or owners of the new home construction contractor
64 providing the written notice required by this section are or have been a
65 shareholder, member, partner or owner during the previous five years,
66 (2) state in any advertisement, including any advertisement in a
67 telephone directory, including, but not limited to, a yellow pages
68 phone book, as defined in section 1 of this act, the fact that such
69 contractor is registered, and (3) include such contractor's registration
70 number in any such advertisement. The new home construction
71 contractor, or his agent, shall also discuss with the consumer the
72 installation of an automatic fire extinguishing system in a new home.

73 Sec. 4. Subsection (d) of section 22a-66c of the general statutes is
74 repealed and the following is substituted in lieu thereof (*Effective*
75 *October 1, 2014*):

76 (d) Any business registered under this section shall display the
77 registration number assigned to it by the commissioner on the body of
78 any motor vehicle used by it in the course of business, in any
79 newspaper advertisement for the business, on any billboard
80 advertisement for the business, and in any advertisement for the
81 business placed in [the] a generally circulated telephone directory,
82 including, but not limited to, a yellow pages phone book, as defined in
83 section 1 of this act. Any such business shall further include the
84 number in any written contract it enters into for provision of pesticide
85 application services.

86 Sec. 5. Subdivision (2) of subsection (a) of section 29-152b of the
87 general statutes is repealed and the following is substituted in lieu
88 thereof (*Effective October 1, 2014*):

89 (2) Solicit business in or on the property or grounds of a correctional
90 institution, community correctional center or other detention facility
91 where arrested persons are confined, or in or on the property or
92 grounds of any courthouse, unless a request is initiated by an arrested
93 person, a person with actual or apparent authority to act on behalf of
94 such arrested person, or a potential indemnitor. For purposes of this
95 subdivision, "solicit" includes the distribution of business cards, print
96 advertising or any other written information directed to arrested
97 persons or potential indemnitors. A correctional institution,
98 community correctional center or other detention facility where
99 arrested persons are confined, police station or courthouse may permit
100 print advertising by a professional bondsman in or on the property or
101 grounds of such institution, center or facility, police station or
102 courthouse, provided such advertising shall be limited to a listing in a
103 telephone directory, including, but not limited to, a yellow pages
104 phone book, as defined in section 1 of this act, and the posting of the
105 professional bondsman's name, address and telephone number in a
106 prominent designated location in or on such property or grounds.
107 Nothing in this subdivision shall prohibit a professional bondsman
108 from soliciting business in or on the property or grounds of a police

109 station;

110 Sec. 6. Subdivision (2) of subsection (a) of section 38a-660j of the
111 general statutes is repealed and the following is substituted in lieu
112 thereof (*Effective October 1, 2014*):

113 (2) Solicit business in or on the property or grounds of a correctional
114 institution, community correctional center or other detention facility
115 where arrested persons are confined, or in or on the property or
116 grounds of any courthouse, unless a request is initiated by an arrested
117 person, a person with actual or apparent authority to act on behalf of
118 such arrested person, or a potential indemnitor. For purposes of this
119 subdivision, "solicit" includes the distribution of business cards, print
120 advertising or any other written information directed to arrested
121 persons or potential indemnitors. A correctional institution,
122 community correctional center or other detention facility where
123 arrested persons are confined, police station or courthouse may permit
124 print advertising by a surety bail bond agent or an insurer in or on the
125 property or grounds of such institution, center or facility, police station
126 or courthouse, provided such advertising shall be limited to a listing in
127 a telephone directory, including, but not limited to, a yellow pages
128 phone book, as defined in section 1 of this act, and the posting of the
129 surety bail bond agent's name, address and telephone number in a
130 prominent designated location in or on such property or grounds.
131 Nothing in this subdivision shall prohibit a surety bail bond agent or
132 insurer from soliciting business in or on the property or grounds of a
133 police station;

134 Sec. 7. Subsection (e) of section 42-288a of the general statutes is
135 repealed and the following is substituted in lieu thereof (*Effective*
136 *October 1, 2014*):

137 (e) (1) Any person who obtains the name, residential address or
138 telephone number of any consumer from published telephone
139 directories, including, but not limited to, a yellow pages phone book,

140 as defined in section 1 of this act, or from any other source and
141 republishes or compiles such information, electronically or otherwise,
142 and sells or offers to sell such publication or compilation to telephone
143 solicitors for marketing or sales solicitation purposes, shall exclude
144 from any such publication or compilation, and from the database used
145 to prepare such publication or compilation, the name, address and
146 telephone number or numbers of any consumer if the consumer's
147 name and telephone number or numbers appear in the then current
148 quarterly "no sales solicitation calls" listing made available by the
149 department under subsection (b) of this section.

150 (2) This subsection does not apply to (A) any telephone company, as
151 defined in section 16-1, for the sole purpose of compiling, publishing
152 or distributing telephone directories, including, but not limited to, a
153 yellow pages phone book, as defined in section 1 of this act, or causing
154 the compilation, publication or distribution of telephone directories,
155 including, but not limited to, a yellow pages phone book, as defined in
156 section 1 of this act, or providing directory assistance, and (B) any
157 person, for the sole purpose of compiling, publishing or distributing
158 telephone directories for such telephone company pursuant to an
159 agreement or other arrangement with such telephone company.

160 Sec. 8. Subdivision (2) of subsection (a) of section 53-340a of the
161 general statutes is repealed and the following is substituted in lieu
162 thereof (*Effective October 1, 2014*):

163 (2) "Public media" means telephone directories, including, but not
164 limited to, a yellow pages phone book, as defined in section 1 of this
165 act, professional directories, newspapers and other periodicals, radio,
166 television, billboards and mailed or electronically transmitted written
167 communications that do not involve in-person contact with a specific
168 prospective client, patient or customer; and

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Section 1	<i>October 1, 2014</i>	New section
Sec. 2	<i>October 1, 2014</i>	20-206g(c)
Sec. 3	<i>October 1, 2014</i>	20-417d(a)
Sec. 4	<i>October 1, 2014</i>	22a-66c(d)
Sec. 5	<i>October 1, 2014</i>	29-152b(a)(2)
Sec. 6	<i>October 1, 2014</i>	38a-660j(a)(2)
Sec. 7	<i>October 1, 2014</i>	42-288a(e)
Sec. 8	<i>October 1, 2014</i>	53-340a(a)(2)

Statement of Purpose:

To require distribution of yellow pages phone books by first-class mail.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]